

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

ANDRE DOW,

Petitioner,

v.

STATE OF NEVADA,

Respondents.

Case No. 3:23-cv-00529-ART-CLB

ORDER

On September 3, 2024, Petitioner Andre Dow filed an unopposed motion for leave to file a first amended protective petition. (ECF Nos. 14; 15.) Dow's motion (ECF No. 14) additionally requested the Court keep the deadline of October 28, 2024, for filing a second amended petition. (*Id.* at 2.) On October 18, 2024, Dow filed an unopposed motion for extension of time to file a [second] amended petition from October 28, 2024, to January 27, 2025. (ECF No. 22.) On October 25, 2024, the Court granted Dow's motion (ECF No. 22) without ruling on Dow's prior request for leave to file the first amended protective petition or request to keep the October 28, 2024, deadline for filing a second amended petition. (ECF No. 23.)

On October 31, 2024, Respondents filed an unopposed motion for enlargement of time to file a response 60 days from the date that Dow either (1) informs he does not intend to file a second amended petition, or (2) files a second amended petition. (ECF No. 24.) Respondents argued it would be futile and a waste of resources to respond to the first amended protective petition until it is known whether Dow will file a second amended petition. (*Id.* at 3.) On November 22, 2024, the Court granted Dow's unopposed motion for leave to file the first amended protective petition (ECF No. 14) and granted Respondent's motion for enlargement of time to respond to the first amended protective petition (ECF No.

1 24). (ECF No. 26.) In that November 22, 2024, order, however, the Court  
2 erroneously stated Respondents have until December 27, 2024, to file an  
3 amended petition.

4 The Court concludes clarification of its prior orders and the current briefing  
5 schedule for this action is warranted:

6 It is therefore ordered that Petitioner Andre Dow's unopposed motion for  
7 leave to file a first amended protective petition (ECF Nos. 14; 15) is granted.

8 It is further ordered that Petitioner Andre Dow's unopposed motion for  
9 extension of time to file a second amended petition (ECF No. 22) is granted.  
10 Petitioner has until January 27, 2025, to file a second amended petition.

11 It is further ordered that Respondents' unopposed motion for extension of  
12 time to file a response to the first amended protective petition is denied as moot.  
13 Respondents will have 60 days following service of the second amended petition  
14 to file a response. (See ECF No. 9.)

15 DATED THIS 27<sup>th</sup> day of December, 2024.

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20 ANNE R. TRAUM  
21 UNITED STATES DISTRICT JUDGE  
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